

13

REMARKS

14 Reconsideration of the application in view of the above amendments and the following
15 remarks is respectfully requested.

16 A certified copy of a priority document was sent on Nov. 12, 2003. A copy of the first
17 sheet of this document, the cover letter, and the post card receipt date stamped in the USPTO on
18 March 7, 2005, is enclosed herewith. Applicant will obtain another copy and submit it, if the
19 original document has been lost and a replacement is required.

20 Examiner has not accepted the drawings as submitted. Applicant respectfully requests
21 notification of the status of the drawings.

22 The specification has been objected to by the Examiner. The specification has been
23 amended as required. No new matter has been introduced by this amendment.

24 Claims 1-21 are pending in this application. Claims 1 and 4 have been amended. Claim
25 4 has been amended to remove the objection to a typographical error. Claims 22-26 have been
26 canceled without prejudice.

27 Claim 4 has been amended to remove the Examiner's objection to a typographical error.

28 The office action states that Claims 1 and 2 are rejected under Section 35 U.S.C. 112 as
29 being indefinite. Applicant has amended claim 1 as Examiner has suggested..

30 The office action states that Claims 1, 2, 5-8, -10-15, 17, and 19 are rejected under
31 Section 35 U.S.C. 102(b) as being anticipated by Goto (US 6,196,482).

32 Goto does not mention nor suggest

33 " a pressure-resistant pulverizing inner casing, the inner casing for being contained in a
34 pressurized outer casing,"

35 The following paragraph is copied from Goto's description of the apparatus. (Italics
36 added)

37 " In FIG. 1, a jet mill according to the first preferred embodiment is indicated by 1. A turning and
38 crushing chamber 2 is formed hollow and disk-shaped, seven crushing nozzles 3 are equidistantly
39 disposed in the turning and crushing chamber 2, a venturi nozzle 4 is disposed in the turning and
Docket No 901-016 (TG168 US) serial No. 10/705,868 Inventors Siegfried Ahrend, Volker Hirons, Hans-Ulrich Schwembe, Siegfried Wenzel,
Joh Milt-Pilling date Nov. 12, 2003, art unit 3725 examiner Jason Y Pring

40 crushing chamber 2, a press-in nozzle 5 is disposed coaxially with the venturi nozzle 4 via a solid
41 and gas blending chamber 8 at the upstream side of the venturi nozzle 4, a *body casing* is
42 indicated by 6, a *ring liner* of the turning and crushing chamber 2 is indicated by 7, a solid and
43 gas blending chamber is indicated by 8, a *top liner* 9 and a *bottom liner* 10 are disposed
44 perpendicularly in the turning and crushing chamber 2, a center pole 11 is such that its upper part
45 detachably disposed at the middle of the bottom liner 10 is formed to be roughly conical, an
46 outlet 12 is formed coaxially with the center pole 11 and is detachably disposed at the top liner 9,
47 a crushing material lead-in port 13 communicates with the solid and gas blending chamber 8, a
48 micro powder discharge port 14 is formed by a sleeve 14a, a high pressure header tube is
49 indicated by 15, a high pressure gas pipe 15a feeds a high pressure gas from the high pressure
50 header tube 15 to the crushing nozzles 3 and press-in nozzles 5, and a pressure adjusting valve 16
51 adjusts pressure of the high pressure gas pipe 15a."

52 Examiner errs in stating that Goto shows a fluid filled volume between the prior art *liners*
53 7, 8, 9, and 10 and an outer casing. The drawing of fig. 1 shows no space whatsoever between
54 the so called "body casing" of Goto and the various liners 7, 8, 9, and 10.

55 In summary, Goto does not show nor suggest the apparatus of the invention, and claims 1
56 and 2 are thus not anticipated by Goto and are patentable over Goto under Section 35 U.S.C.
57 102(b).

58 The office action states that Claims 1, 2, 8, 16, and 17 are rejected under Section 35
59 U.S.C. 102(b) as being anticipated by Coombe (US 4,502,641).

60 Coombe does not mention nor suggest

61 "a pressure-resistant pulverizing inner casing, the inner casing for being contained in a
62 pressurized outer casing,"

63 The following quotes are copied from the Coombe (US 4,502,641) description of figs. 1
64 and 2.

65 "A fluid header 2 encircles the peripheral wall 4 of circular grinding chamber 5."
66 and

67 "The chamber 5 is shown to be relatively disc shaped, its actual dimensions being
68 determined by the upper and lower circular plates 7 and 8 and peripheral wall 4."

Decket No 903-016 (TG164 US) serial No. 11/704,868 Inventor Siegfried Blumel, Volker Jimpke, Hans-Ulrich Schwartz, Siegfried Wansing.
1st M11-filing date Nov. 12, 2003, art unit 3725 examiner Jason Y Phing

69 Note that 2 denotes a tube bent into circular form which surrounds the casing 5 and is
70 connected to casing 5 only by nozzles 3. The circular tube 2 is not a casing.

71 In summary, Coombe does not show nor suggest the apparatus of the invention, and
72 claims 1, 2, 8, 16, and 17 are thus not anticipated by Coombe and are patentable over Coombe
73 under Section 35 U.S.C. 102(b).

74 The office action states that Claims 3,4,9, and 18 are rejected under Section 35
75 U.S.C. 103(a) as being unpatentable over Goto (US 6,196,482) in view of 3 different patents.
76 Since Goto has been shown to lack an element of all claims of the present application, claims
77 3,4,9, and 18 are patentable under Section 35 U.S.C. 103(a). In addition, there is no suggest
78 in any of the cited art to combine one reference with another, and hence all claims are patentable
79 under Section 35 U.S.C. 103(a). In addition, the dependent claims are all patentable since
80 they are dependent upon an allowable claim. In addition, claims 2-21 are separately inventive
81 and patentable over their respective parent claims.

82 No additional fee is required.

83 The required fees and any insufficiency or overage (except issue fees) may be debited or
84 credited to deposit account 08/2240. A signed deposit account authorization is on file for this
85 case.

86 On the basis of the above amendments and remarks, reconsideration of this application
87 and its early allowance is respectfully requested.

88 CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a) and (b), 37 CFR 1.86(f)-

89 I hereby certify that the following attached correspondence comprising Response and Amendment is being sent by facsimile transmission to
90 FAX NUMBER 703-872-9306 on June 23, 2005.

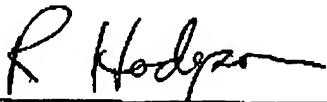
91 Amendment and Response

92 Copy of front page of certified priority document

93 Cover sheet

94 Copy of returned post card

95 Respectfully,



96 Rodney T. Hodgson Agent # 37,849

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